

## **CAUL Procurement Guidance Statement to Vendors on Privacy and Unauthorised Access Processes**

Universities and libraries are required to provide safe spaces for research, learning and teaching. This is essential in supporting the advancement of knowledge. To meet these requirements, Institutions and their providers must have robust privacy practices and policies.

Applicable entities in Australia and New Zealand must comply with the relevant privacy laws of the countries in which they operate. As these differ across the two countries and across the Australian States and Territories, the [Australian Privacy Principles \(APPs\)](#) enshrined in the Privacy Act 1988 (Cth) have been identified as a privacy framework for vendors that provide services to CAUL Consortium member libraries on how they may collect, use, store and disclose personal information.

This statement seeks to provide guidance to vendors for privacy practices and additional guidance on expectations on processes where suspected unauthorised access occurs.

### **1. Responsibilities around data used for provisioning services by publishers and vendors:**

- 1.1. CAUL Consortium Members expect core functionality without individual registration (APP 2.1)
- 1.2. Publishers will make clear to end users the terms of using the platform

### **2. CAUL expects vendors to work within the framework of APPs, specifically:**

- 2.1. Must only collect personal or sensitive information when essential to the provision of the service and where there is no practical alternative. (APP 3.2)
- 2.2. Where personal information is required, vendors can only obtain personal information from the individual (APP 3.6) but must clearly notify the user the purpose of the request.
- 2.3. Must not use or disclose the information for any other purpose, including marketing (APP 6.1)
- 2.4. Must provide individuals access to their personal data and correct their information on request (APP 12.1, APP 13.1)
- 2.5. Must destroy the information once it is no longer required for that purpose (APP 11.2)

### **3. Expectations around processes when suspected unauthorised access occurs:**

Libraries will work collaboratively with vendors, to reduce issues around unauthorised access. If there is a suspected case of unauthorised access and use, the expectations are:

- 3.1. Vendors notify Licensee (The institution as defined in the Licence)
- 3.2. End users are not contacted directly by vendors
- 3.3. Vendors must not disable access to content without discussion with the library

### **4. Expectations publishers can have on Institutions regarding unauthorised access:**

- 4.1. Provide accurate and timely information when required and where permitted
- 4.2. Institutions will investigate reported access breaches using information and resources available
- 4.3. Provide a secure network (APP 11.1)
- 4.4. Make clear to end users relevant institutional policies related to appropriate use

*Continued next page:*



**5. Responsibilities for publishers when a suspected data breach happens:**

- 5.1. Publisher informs licensee and the Office of the Australian Information Commissioner (OAIC) as required.
- 5.2. Vendors must inform individuals directly where practical and/or publish a statement detailing the data breach, as required under the Privacy Act.
- 5.3. Affected consortium members will implement procedures under their respective data breach response plans and notify individuals directly and the Office of the Australian Information Commissioner (OAIC) as required.

**Further enquiries:**

Angus Cook  
Director, Content Procurement  
CAUL

[angus.cook@caul.edu.au](mailto:angus.cook@caul.edu.au)

**Acknowledgments:**

CAUL Procurement would like to acknowledge members of the CAUL Licence Review Working Group for their input and advice into the initial drafting of this document.

**About CAUL Inc.**

The [Council of Australian University Librarians Incorporated \(CAUL\)](#) is the peak leadership organisation for university libraries in Australia and New Zealand. CAUL Members are the University Librarians or equivalent of the 39 institutions that have representation on Universities Australia and the 8 members of the Council of New Zealand University Librarians (CONZUL). CAUL makes a significant contribution to higher education strategy, policy and outcomes through a commitment to a shared purpose: To transform how people experience knowledge – how it can be discovered, used, and shared. CAUL's vision is that society is transformed through the power of research, teaching, and learning. University libraries are essential knowledge and information infrastructures that enable student achievement and research excellence.



This work is licensed under the [Creative Commons Attribution 2.0 Generic License](#).

